

§ 169.207

Charge, Marine Inspection, as a prerequisite of the issuance of the initial certificate of inspection. Acceptance will be based on the information, specifications, drawings and calculations available to the Officer in Charge, Marine Inspection, and on the successful completion of an initial inspection for certification.

(d) You must submit a written application for an inspection for certification to the cognizant Officer in Charge, Marine Inspection. To renew a Certificate of Inspection, you must submit an application at least 30 days before the expiration of the vessel's current certificate. Applications are available at any U.S. Coast Guard Sector Office or Marine Inspection Office. When renewing a Certificate of Inspection, you must schedule an inspection for certification within the 3 months before the expiration date of the current Certificate of Inspection.

(e) The condition of the vessel and its equipment must be acceptable to the cognizant Officer in Charge, Marine Inspection, as a prerequisite of the certificate of inspection renewal. Acceptance will be based on the condition of the vessel as found at the inspection for certification.

[CGD 83-005, 51 FR 896, Jan. 9, 1986, as amended by USCG-1999-4976, 65 FR 6507, Feb. 9, 2000; USCG-2006-25556, 72 FR 36330, July 2, 2007]

§ 169.207 Period of validity for a Certificate of Inspection.

(a) A Certificate of Inspection is valid for 5 years.

(b) Certificates of inspection may be revoked, or suspended and withdrawn by the Officer in Charge, Marine Inspection, at any time for noncompliance with the provisions of this subchapter or requirements established thereunder.

[CGD 83-005, 51 FR 896, Jan. 9, 1986, as amended by USCG-1999-4976, 65 FR 6507, Feb. 9, 2000]

§ 169.209 Routes permitted.

(a) The area of operation for each vessel is designated by the Officer in Charge, Marine Inspection and recorded on its Certificate of Inspection. Each area of operation is described on the Certificate of Inspection under the major headings "exposed waters," "partially protected waters," or "pro-

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tected waters," as applicable. Further limitations imposed or extensions granted are described by reference to bodies of waters, geographical points, distance from geographical points, distances from land, depths of channel, seasonal limitations, etc.

(b) Operation of vessels on routes of lesser severity than those specifically described or designated on the Certificate of Inspection are permitted, unless expressly prohibited on the Certificate of Inspection. The general order of severity is: exposed, partially protected, and protected waters.

§ 169.211 Permit to proceed for repair.

(a) The Officer in Charge, Marine Inspection, may issue a permit to proceed to another port for repair, Form CG-948, to a vessel if in his judgment it can be done with safety even if the Certificate of Inspection of the vessel has expired or is about to expire.

(b) The permit is issued only upon the written application of the master, owner, or agent of the vessel.

(c) The permit states upon its face the conditions under which it is issued and that guests may not be carried when operating under the permit. The permit must be carried in a manner similar to that described in § 169.217(a) for a certificate of inspection.

§ 169.213 Permit to carry excursion party.

(a) A vessel may be permitted to engage in a temporary excursion operation with a greater number of persons and/or on a more extended route than permitted by its certificate of inspection when in the opinion of the Officer in Charge, Marine Inspection, the operation can be undertaken with safety. A "Permit To Carry Excursion Party" Form CG-949, is a prerequisite of such an operation.

(b) Any Officer in Charge, Marine Inspection, having jurisdiction may issue a permit to carry an excursion party upon the written application of the operator, owner or agent of the vessel.

(c) The OCMI will reevaluate the vessel's sailing instruction program to ensure that the permit fits within the scope of the training program and that the vessel continues to meet the definition of a sailing school vessel.

(d) The OCMI may require an inspection prior to the issuance of a permit to carry an excursion party.

(e) The permit states upon its face the conditions under which it is issued, a reminder about the prohibition against carrying passengers, the number of persons the vessel may carry, the crew required, and additional life-saving or safety equipment required, the route for which the permit is granted, and the dates on which the permit is valid.

(f) The permit must be carried with the certificate of inspection. Any vessel operating under a permit to carry an excursion party must be in full compliance with the terms of its certificate of inspection as supplemented by the permit.

§ 169.215 Certificate of inspection amendment.

(a) An amended certificate of inspection may be issued at any time by any Officer in Charge, Marine Inspection. The amended certificate of inspection replaces the original. An amended certificate of inspection may be issued to authorize and record a change in the character of a vessel or in its route, equipment, ownership, operator, etc., from that specified in the current certificate of inspection.

(b) A request for an amended certificate of inspection must be made to the Officer in Charge, Marine Inspection, by the master, operator, owner, or agent of the vessel at any time there is a change in the character of a vessel or in its route, equipment, ownership, operation etc., as specified in its current certificate of inspection.

(c) The OCMI may require an inspection prior to the issuance of an amended certificate of inspection.

§ 169.217 Posting.

The certificate of inspection must be framed under glass or other suitable transparent material and posted in a conspicuous place on the vessel except on open boats where the certificate may be retained in a watertight container, which is secured to the vessel.

LETTER OF DESIGNATION

§ 169.218 Procedures for designating sailing school vessels.

(a) Upon written request by a qualified institution, a determination is made by the OCMI whether the vessel may be designated as a sailing school vessel.

(b) The request should contain sufficient information to allow the OCMI to make this determination. At a minimum the following items must be submitted:

(1) A detailed description of the vessel, including its identification number, owner, and charterer.

(2) A specific operating plan stating precisely the intended use of the vessel and the intended course of instruction for sailing school students.

(3) A copy of the Internal Revenue Service designation as a non-profit, tax-exempt, organization under sections 501(a) and 501(c)(3) of the Internal Revenue Code.

(4) An affidavit certifying that the owner or charterer has financial resources to meet any liability incurred for death or injury to sailing school students or sailing school instructors on voyages aboard the vessel, in an amount not less than \$50,000 for each student and instructor.

(5) Any additional information as requested by the Officer in Charge, Marine Inspection.

(c) If a designation is granted it is indicated on the certificate of inspection and remains valid for the duration of the certificate, provided all operating conditions remain unchanged.

(d) In the event of a change, the institution must advise the OCMI who issued the designation. After reviewing the pertinent information concerning the change, the OCMI shall determine if the vessel is eligible to retain its designation as a sailing school vessel.

§ 169.219 Renewal of letter of designation.

At least 60 days prior to the expiration date of the certificate of inspection, a request for renewal must be submitted in the same manner as described in § 169.218. If the request for renewal is submitted to the OCMI who made the initial determination and all